

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED
OCT 11 2005
JOHN F. CORCORAN, CLERK BY: <i>[Signature]</i>
Civil Action No. 7:05-cv-00559-ER

JASON HAMM-BEY,
Petitioner

v.

GENE JOHNSON,
Respondent

) Civil Action No. 7:05-cv-00559-ER

) FINAL ORDER

)
By: Hon. James C. Turk
Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the above referenced petition for writ of habeas corpus, pursuant to 28 U.S.C. §2254, shall be and hereby is **DISMISSED**, pursuant to Rule 4 of the Rules Governing §2254 Cases, for failure to state a claim upon which relief can be granted, and is hereby stricken from the active docket of the court.

The clerk is directed to send a certified copy of this final order and the accompanying memorandum opinion to the petitioner.

ENTER: This 11th day of October, 2005.

James C. Turk
Senior United States District Judge